

***Negligence Lawyer? There's an app for that. The proliferation and suitability of Apple's iPad in litigation practice.***

Our boutique medical negligence firm is one of the many that has added the Apple iPad to its lawyers' set of tools. The iPad has invaded litigation to become a common sight in client interviews, depositions, motion hearings, and trials. With the right combination of software and accessories (especially a wireless keyboard), many lawyers have found the iPad to be a suitable laptop replacement. And for good reason. The iPad is light, thin and has an elegant form factor. It combines simplicity and ease of use with a brilliant display and exceptional battery life.

Like many litigators with state and nationwide practices, we spend quite a bit of time on the road. From court hearings hundreds of miles away, to expert witness depositions thousands of miles away, the iPad has proven itself time and again. In fact, even though the attorneys in our firm are issued both PC laptops and Apple MacBook Air computers, the iPad is now regularly being used preferentially while traveling. A set of good noise canceling headphones, like those from Bose, are an appreciated luxury.

From hospitals to hotels to coffee houses, a wireless internet connection is often available but we remain leery of using public connections to work on confidential matters. Rather than purchase separate cellular data plans on the iPads, we use the personal hotspot connection on our iPhones or a Verizon "mi-fi" to connect to the internet in the field. We'll likely reevaluate that when 4G networks become more widespread.

Held in the hand, the tablet is an ideal media consumption device. From medical records to pleadings to video, reading, watching and listening on the iPad feels comfortable and intuitive. Adding a keyboard, such as Apple's bluetooth keyboard or the Zaggfolio combination case and keyboard, turns the iPad from primarily a consumption device to one capable of serious production. In fact, this article was drafted, reviewed and edited solely on our iPads.

The iPad is currently available in the standard, retina display, and mini models, with and without cellular data coverage, and with memory capacity ranging from 16GB to 64GB. Most lawyers are familiar with the basic hardware of the iPad, and the iOS operating system it shares with the ultra-popular iPhone. So, we will focus this article on the software, or apps in Apple parlance, that we have found most useful. Some of these apps have "saved the day." Others help increase productivity, and others are simply entertaining. Needless to say, all the apps referenced in the article can be purchased through Apple's App Store, which now houses over 275,000 different apps.

**Document review, annotation and production:** No way around it, civil litigation has become hugely document intensive; the more complex the case the higher the paper mountain with some firms engaging in trial by truckload. The ability to efficiently review,

annotate and produce documents is essential to litigators. Adobe's PDF (Portable Document Format) has become the standard in our profession for the scanning and transmittal of documents. Court reporters and medical record copy services have adopted PDF and its use is required by most court electronic filing systems. The tablet form factor makes reading documents in full page mode a breeze. Last year, Adobe launched a free reader app for iOS devices that works remarkably well, and upgrades since its release have added the capability to annotate, search and cut and paste text. Goodreader and iAnnotate are likewise good choices, albeit at a modest charge.

Medical negligence is an intrinsically deposition heavy practice area. The ability to work with transcripts is a must. Until recently, we were unable to use the RealLegal ptx format used by court reporting firms to read e-transcripts on our iPads. Transcripts needed to be scanned or converted to PDF. All that changed a few months ago when West finally released its E-Transcript reader. The app works well, allowing word searching, copy and pasting into other documents, even highlighting and limited annotation.

For document production, Docstogo from Dataviz has a solid following, but we have found the best iPad word processor to be Apple's Pages app. It is a powerful, near full featured word processing program with the capability to save and send documents in Word (doc) and PDF formats. Documents transition smoothly between the iPad version of Pages and the version on our MacBooks. We have used Pages to draft all manners of correspondence and pleadings. This article is being drafted in Pages. We have found that setting up document and pleading templates on the full featured computer version, and transferring them for use on the iPad is effective. Because we handle all of our cases as a team, we frequently collaborate on documents. This may entail multiple revisions, and we use the track changes feature in Word to assist us. The good news is that Apple just released the newest version of the Pages iPad app to add this feature.

Corel's WordPerfect used to be the chosen word processor in the legal profession, and some diehards still prefer the WPD format. We find that an app called WPD viewer works well to open and read those documents and convert them to MS Word.

While we appreciate the simplicity of the touch screen on the iPad, the ability to use Apple's excellent bluetooth "magic mouse" with the devices would improve productivity in document production. There are methods to hack the operating system, called jailbreaking, that allow that but void the warranty in the process; we decline to go down that road.

**File synchronization and cloud storage:** Aside from adding a keyboard and word processor, the factor that has transformed the iPad from a fun but limited piece of technology to an essential tool in our technology arsenal are file sync and cloud storage apps. After research and trial-and-error, we determined that Sugarsync and Dropbox best suited our needs. These apps give us the ability to access our client files and medico-legal databases in the field, as well as work collaboratively on documents with

the rest of our team, all while preserving our file system structure. To accomplish this, our electronic files reside on our server, on ruggedized (fireproof, waterproof) back-up drives, and also "in the cloud." The files are electronically backed-up and immediately accessible from anywhere we can establish an internet connection, and key documents are synced to our ipads for use offline. We can also transfer large files from our iOS devices to our server from the field, or set up a segregated and password protected sharing file to work with trusted sources outside our firm.

**Videoconferencing:** Videoconferencing is a wonderful tool for remote communication. However, the price of using videoconference equipment at court reporters and dedicated centers is simply outrageous. We regularly use Skype to videoconference to communicate with each other, clients and witnesses from our offices, homes and in the field. With the latest version of IOS, the conferences can be done using the cellular connection if wi-fi is not available. Recently, we used Skype to conduct a video deposition when the "real" video conference system malfunctioned. We also use Apple's native FaceTime app, more so with our iPhones.

**Remote Access:** Using apps like Logmein or RDP connection, our attorneys and paralegals can connect remotely to their office computers to use the PC based practice management program, access documents or other needed information.

**Email:** Remember what practice was like before email, or when email was a novelty? No question, email is now a critical form of communication for lawyers. Apple's native email app provides support for popular web based email services like gmail, and supports Microsoft exchange for email, calendaring and contacts. The latest version of iOS brought with it the ability to format email with italics, bolding and underlining as well as the ability to insert photos. It also now allows for multiple email signatures for various email accounts. Still, there is room for improvement. It still needs a better ability to handle attachments from a file system within the email program, rather than launching them through individual apps.

**Web browsing:** The availability of information on the web has been transformative in our society and the practice of law is no different. From researching medical conditions and procedures on webmd, edmedicine, and uptodate, accessing ICLE's online library, to retrieving case law from the Court of Appeals website or google scholar, the immediate access to a dizzying amount of data increases the quality and efficiency of practice. Rarely now, we find a website that requires Adobe's flash program which is not supported in Apple's native iOS version of Safari.

**Legal research:** The ability to lay our hands on precedent on a moment's notice has been a real case saver for us. Lexis and Westlaw have iPad services, a free app called Fast Case works decently, and we often use Google Scholar.

**Dual Screens:** We have become spoiled working on dual large computer screens at our desks. The ability to read and copy from one document while drafting another significantly increases productivity. We use an app called iDisplay to wirelessly connect our iPads to our MacBook Airs to create a dual screen set up outside the office when we have both devices.

**VOIP:** An app called Line2 allows you to use your iPad or iPhone to make telephone calls over the internet. This has come in very handy in hospitals and other large building where cellular coverage is spotty but wifi is available. Skype can be used for this as well.

**Presentation software:** We use both Powerpoint and Apple's Keynote program to create presentations for trial, case evaluations, settlement brochures, and other presentations. While we typically create the presentations on our computers and play them through our ELMO projector system, the ability to play them back on the iPad is nice as well. We have created a number of law school lectures and CLE seminar presentations using nothing but our iPads and its version of Keynote. Keynote can convert the presentation to Powerpoint PPT format or PDF as well. In a recent trial, we ended using the iPad in an slightly unusual way, but to good effect when we could not find the right cord in the middle of trial. We used FINR's 3D brain atlas on the iPad, and laid it under ELMO's document camera for our experts to use in the testimony to the jury. We are investigating the Trialpad app and a wireless presentation system for use with the iPad and projector now.

**Dictation:** While the lawyers in our office are adept keyboarders, we also find it efficient to dictate some work product for transcription by our staff, such as cover letters, deposition summaries, witness interview summaries, theory and analysis memos and the like. In the office, we each have an Olympus professional digital dictation system, but on the road we use the excellent Dictamus dictation app which allows the iPad and iPhone to be used like a recorder. This includes play back and record over features. Short dictations (under ~15 minutes) can usually be sent via email from within the program, and larger files are transferred using FTP or Dropbox to our server. For outsourced dictation and transcription on the fly, Speakwrite offers a nice app and a competitively priced service.

**Practice management software:** Our current practice management program, Timematters by Lexis only works on our PCs. To use it on the iPad or Macbook we have to remote in to our office desktops. That is one of the many reasons we are phasing out this program. We are exploring programs such as Rocketmatters and Clio that function well on the iPad.

**Camera:** We used the iPad camera to photograph and video transactions on occasion, and have used the camera in conjunction with an app called Docscanner to photograph

and "scan" documents to PDF. This has come in handy when reviewing original medical charts at hospitals.

**Navigation:** In addition to serving as a good GPS substitute while on the road, we have found the google maps feature to be a fine tool to use when interviewing witnesses where location, such as an intersection, is an issue.

**Media:** Of course, the iPad was originally designed as a consumer device, and predictably it excels in this area. When stuck on an airplane, airport, hotel or other wise, the ability to enjoy some downtime to relax can be a lifesaver. From reading books on Amazon's Kindle app, to watching movies and television series on Netflix, Amazon Prime, iTunes video to listening to music on Pandora or purchased off iTunes, the iPad truly shines. One of our favorite ways to decompress for a few minutes, and learn something new too, is to watch presentations on the TED app.

**Conclusion:** We were reluctant to embrace the iPad, but once we did it quickly grew on us to become a primary piece of technology away from the office. With the right accessories and software, we have found the iPad to be a worthwhile purchase that is sure to earn a return on the investment. But be careful, the ability to work effectively from beach, the comfort of home, or during an intermission in school play makes the difficult act of maintaining a work-life balance that much harder. Be sure to take some time to un-wire too.

**Resources:** Louisiana class action lawyer Jeff Richardson publishes the ABA award winning Apple focused website [www.iphonejd.com](http://www.iphonejd.com) which is full of great product reviews and tips for getting the most out of your iOS device. We are also big fans of David Pogue's New York Times technology column and blog, <http://pogue.blogs.nytimes.com/>.

**About the authors:** Stephen Goethel and Chad D. Engelhardt are partners at Goethel Engelhardt, PLLC in Ann Arbor and founding members of the Center for Medical Truth and Justice. They focus their practice on the prosecution of complex medical malpractice, catastrophic injury and wrongful death claims. They have a state-wide practice and handle select cases around the country. More information can be found at their website: [www.cmtjustice.com](http://www.cmtjustice.com)

